



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR OF
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2307327
Applicant Name: Doug Hannam
Address of Proposal: 3847 NE 93rd Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: Parcel A) 5,000 square feet and Parcel B) 5,200 square feet. The existing single family residence on proposed Parcel B will remain.

The following approval is required:

Short Subdivision – to create two parcels of land (SMC Chapter 23.24).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS
 ☐ DNS with conditions
 ☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

BACKGROUND DATA

Zoning: SF 5000

Date of Site Visit: November 24, 2003

Uses on Site: Single Family.

Substantive Site Characteristics: The subject site is relatively flat. There are no Environmentally Critical Areas (ECA's). Proposed Parcel A has a rock wall along the northwest portion of the west property boundary and will share a portion of the rock wall that extends from the northeast corner of this parcel to the northeast corner of Parcel B. Proposed Parcel B also has a rock wall along the east

property boundary. There are 2 large trees located on the northwest and northeast corners of proposed Parcel A. The street is paved but is not improved with curbs or sidewalks.

Public Comment

Two comment letters were received during the comment period which ended November 26, 2003. One letter was generally supportive of the proposal providing there will be no change in zoning. No change in the Single-Family 5000 zoning designation is requested or is considered with this application. The second letter raised three (3) concerns: the existence of a stormwater drainage pipe from the existing house on proposed Parcel B that drains onto the property to the east, addressed as 3853 NE 93rd Street, that the existing fifty (50) year old retaining wall between both the authors property and the subject property remains stable and does not impact the safety and character of neighboring property, and that there is no negative impact to the existing large conifer on 3853 by construction activity on 3847.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040, no short plat shall be approved unless all of the following applicable facts and conditions are found to exist.

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments from DPD, Water (SWD), Fire Departments (SFD), Seattle City Light, and Parks and review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision.

The lots to be created by this short subdivision will meet all minimum standards or applicable exceptions set forth in the Land Use Code, and are consistent with applicable development standards. As proposed, the existing structure on Parcel B will be located within the required five (5) foot side yard, 3.9 feet from the proposed mutual property boundary between Parcels A and B. SMC 23.44.14 D 2 allows this intrusion provided that a ten (10) foot separation between the intruding structure and any

future principal or accessory structures on the abutting lot can be assured and an easement to that end recorded as a part of the plat. The ten (10) foot access easement as shown on the face of the plat provides this assurance. As a condition of approval this access easement must also be designated as the required separation easement.

This short subdivision is provided with vehicular access, public and private utilities and access (including emergency vehicles). An access easement is provided across Parcel A for vehicle access and parking at grade to the existing house on Parcel B as shown on the plat. A permit is required to establish this parking which must be finalized prior to issuance of a building permit on Parcel A or prior to separate sale of either parcel, whichever is first.

Adequate provisions for drainage control, water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. Drainage review indicates that discharge of stormwater from any new construction shall be to the culvert system in NE 93rd Street and detention with controlled release will be required. Stormwater runoff facilities for the existing structure on Parcel B are pre-existing and not required to be re-routed if not altered or changed.

The proposal site is not located in an environmentally critical area; therefore SMC 25.09.240 is not applicable.

The proposed plat maximizes the retention of the two (2) existing trees along the north property boundary. The proposed shared driveway (access easement) is configured to avoid damage to a large tree that is located in the northeast corner of proposed Parcel A that would otherwise be damaged by extending the driveway directly (perpendicular) to the street.

The public use and interest are served by the proposal; all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

1. Rename the "Ingress and Egress Easement" shown on the face of the plat to include "Side Yard Easement" for the ten (10) foot required side yard easement pursuant to SMC 23.44.14 D 2. Alter the legal descriptions to reflect this change.
2. Insert the following on the face of the plat: "Any tree removal or replacement is subject to the requirements of Seattle Municipal Code 23.44.008."

Conditions of Approval Prior to the Individual Transfer or Sale of Lots or Issuance of a Building Permit

1. Legally demolish or remove the garage and adjoining portion of the existing structure that is under the same roof structure and that ends 3.9 feet from the proposed mutual property boundary between Parcels A and B prior to sale, purchase, or other ownership transfer of any of the parcels.
2. Obtain a permit to establish the rear yard parking for Parcel B. The permit must be finalized prior to issuance of a building permit on Parcel A or prior to separate sale of either parcel, whichever is first.

After Recording and Prior to Issuance of Any Building Permits

The owner(s) and/or responsible party(s) shall:

1. Attach a copy of recorded short subdivision to all copies of future building permit application plans.
2. Any future building permit for Parcel A shall provide a standard drainage control plan, which includes stormwater discharge to the publicly maintained culvert system in NE 93rd Street.

Signature: (signature on file) Date: May 17, 2004
Art Pederson, Land Use Planner
Department of Planning and Development
Land Use Services